

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 18th day of October, 2010 the City Council of the City of Aransas Pass convened in a Special Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT:	Tommy Knight,	Mayor
	Vickie Abrego,	Mayor Pro Tempore
	Ross McElwee	Council Member
	Jay Attaway	Council Member
	Phillip Hyatt	Council Member

ABSENT:

ADMINISTRATIVE PERSONNEL PRESENT:	Allen Lawrence	City Attorney
	Reggie Winters,	City Manager
	Yvonne Stonebraker	City Secretary

ADMINISTRATIVE
PERSONNEL ABSENT:

STAFF PRESENT:	Rick Kilgore	Fire Chief
	Frank Truitt	Inspector
	Earl Buckmaster	Harbormaster

OTHERS PRESENT: Joe Robles, Joshua Robles, Sandy Kubek, Jim & Alpha Covington, Commissioner Jim Price, Donald & Jeanie Brummett, Grant Erickson, Robert Cohen, Cecil Robles, Capt. Rod Spivey, Sonia Torres, Brenda Burr and Phil Reynolds/A.P. Progress, Colleen Abshire, Bill Smith, Stewart Wilson, Dan Moore and Ellie Block.

There may have been others present who did not sign in.

1. **CALL MEETING TO ORDER.**

Mayor Knight called the meeting to order at 7:00 P.M. on October 18, 2010.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Council Member McElwee gave the invocation. Mayor Knight led the pledge of Allegiance to the United States Flag.

3. **CONSIDER AND ACT ON APPROVING THE MINUTES OF OCTOBER 4, 2010.**

Council Member Attaway made a motion to approve the minutes of October 4, 2010. Council Member Hyatt seconded the motion and the motion carried unanimously.

4. **LETTERS OF COMMENDATION PRESENTED BY MAYOR TOMMY KNIGHT.**

Mayor Knight presented Letters of Commendation to Officer Stephen Phipps and Officer Jason Torres for saving the life of a seventeen month old child.

5. **CONSIDER AND ACT ON BIDS AND SELECTION OF OFFICIAL NEWSPAPER OF THE CITY OF ARANSAS PASS.**

Mayor Knight asked City Secretary Stonebraker if the City of Aransas Pass had advertised for the request for bids for the official newspaper.

City Secretary Stonebraker stated yes. She stated she had advertised for two weeks in the Aransas Pass Progress.

City Manager Winters stated he had City Secretary Stonebraker advertise in the City of Aransas Pass' official newspaper, the Aransas Pass Progress, but did not let the area newspapers know the City was advertising for bids.

Council Member Hyatt made a motion to table agenda item number 5. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

6. **CONSIDER AND ACT ON REQUEST OF MR. ROD SPIVEY FOR A HARBOR LEASE AGREEMENT AT CONN BROWN HARBOR.**

Capt. Rod Spivey stated he had met with City Manager Reggie Winters, Harbor Master Earl Buckmaster and City Inspector Frank Truitt regarding the building at 401 Bigelow for marine services, dive training and charter business. He stated the building needed about \$3,500 worth of work done to it, water was connected to the building and a sewer line was available for connection. He stated fifty-five foot (55') of bulkhead was in good shape but ten foot by 40 foot (10' X 40') needed to be replaced and would cost approximately \$5,500. Capt. Spivey is requesting a three year lease with a three year option to renew and would pay \$750.00 a month.

City Manager Winters stated he had safety issues concerning the building and bulkheads.

Capt. Spivey stated the cost for improvements made on the building and bulkheads would be paid for by him and he (Capt. Spivey) would not ask the City for re-imbursement.

The request died for the lack of a motion.

7. **CONSIDER AND ACT ON REQUEST OF MR. CECILIO ROMAN ROBLES FOR A HARBOR LEASE AGREEMENT AT CONN BROWN HARBOR.**

Mr. Robles stated he would like a month-to-month lease on the sixteen by twenty foot (16'X 20') storage building with 100' dock space between The Bait Shack and Oliver's Tai Kwon Do. Mr. Robles stated in the future he would like to add several forty -five foot (45') finger piers which would require about 8 pilings.

Council Member McElwee asked Mr. Robles what type of business he would be opening.

Mr. Robles stated he would not be opening a business. He stated he had a bay boat and wanted to store equipment in that building.

Council Member Hyatt made a motion on request of Mr. Cecil Roman Robles to negotiate a harbor lease agreement at Conn Brown Harbor. Council Member Attaway seconded the motion and the motion carried unanimously.

8. **CONSIDER AND ACT ON THE INSTALLATION OF PILINGS BY MR. DAVE MYERS IN THEIR DOCK SPACE AT CONN BROWN HARBOR.**

Mr. Robert Cohen stated he would be representing Mr. Dave Myers (old City Net Shop building). He stated Mr. Myers would like to have fifty (50) pilings built by Mr. John Henry Milland with the CCC Group. He stated there would be four pilings extended sixty-five feet (65') from the bulkhead and would be twenty-five feet (25') apart. He stated every other set of pilings would consist of docks.

Council Member Attaway made a motion to approve the installation of pilings by Mr. Dave Myers in their dock space at Conn Brown Harbor according to the Army Corp of Engineer's permit. Council Member Hyatt seconded the motion and the motion carried unanimously.

9. **CONSIDER AND ACT ON FINAL APPROVAL OF ANNEXATION OF MARSHALL LANE (COUNTY ROAD 1848) AND AVENUE A (COUNTY ROAD 4705) NORTH OF WHEELER AVENUE AS PREVIOUSLY APPROVED BY ARANSAS PASS CITY COUNCIL.**

Council Member Attaway made a motion to proceed on final approval of annexation of Marshall Lane (County Road 1848) and Avenue A (County Road 4705) North of Wheeler Avenue as previously approved by Aransas Pass City Council. Council Member McElwee seconded the motion and the motion carried unanimously.

10. **CONSIDER AND ACT ON AN INTERLOCAL GOVERNMENT AGREEMENT BETWEEN THE CITY OF ARANSAS PASS, TEXAS AND THE SAN PATRICIO MUNICIPAL WATER DISTRICT (SPMWD) RELATING TO THE SPMWD CUSTOMER SERVICES TO BE TRANSFERRED TO THE CITY OF ARANSAS PASS.**

City Manager Winters stated the San Patricio Municipal Water District (SPMWD) had four customers on their transmission line and would like for the City of Aransas Pass to acquire the four customers. He stated the SPMWD would install a four inch water line from CR 2725 to highway 361 at no cost to the City and turn the four inch water line over to the City. City Manager Winters stated he would like to set up an appointment with the SPMWD and ask if the City supplied an eight inch water line, would they (SPMWD) install the eight inch water line instead of the four inch water line. He stated a fire hydrant could not be installed on a four inch water line but a fire hydrant could be placed on an eight inch water line.

Council Member Jay Attaway made a motion to table agenda item number ten until City Manager winter could meet with the San Patricio Municipal Development District on installing an eight inch water line instead of a four inch water line. Council Member McElwee seconded the motion and the motion carried unanimously.

11. **CONSIDER AND ACT ON ORDINANCE NO. 2010-3985 – AN ORDINANCE OF THE CITY OF ARANSAS PASS, TEXAS RE-ADOPTING SECTIONS 18-4 (CURFEW FOR MINORS – GENERALLY), 18-5, 18-6 AND 18-7 OF THE CODE OF ORDINANCES AND; PROVIDING FOR AN EFFECTIVE DATE.**

City Attorney Allen Lawrence stated the Curfew for Minors statutes require adoption every three years.

Council Member Attaway made a motion to approve Ordinance No. 2010-3985 – An Ordinance of the City of Aransas Pass, Texas re-adopting Sections 18-4 (Curfew for Minors – Generally), 18-5, 18-6 and 18-7 of the Code of Ordinances and, providing for an effective date. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

12. **CONSIDER AND ACT ON AUTHORIZING CITY MANAGER WINTERS TO PROCEED WITH A WARRANT ROUND-UP.**

City Manager Winters stated he would like a motion to proceed with a warrant round-up to begin November 1, 2010. He stated the round-up would be performed by City of Aransas Pass'off duty officers who would receive \$50. per warrant.

Council Member McElwee made a motion authorizing City Manager Winters to proceed with a warrant round-up. Council Member Attaway seconded the motion and the motion carried unanimously.

13. **CONSIDER AND ACT ON OPENING A SPECIAL BANK ACCOUNT FOR WARRANT ROUND-UP FUNDS.**

Council Member Attaway made a motion authorizing a special bank account for warrant round-up funds. Council Member Hyatt seconded the motion and the motion carried unanimously.

14. **CONSIDER AND ACT ON SCHEDULING A WORKSHOP TO DISCUSS HARBOR DEVELOPMENT.**

Council Member Hyatt made a motion to approve Wednesday, November 17, 2010 as the harbor development workshop date. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

15. **CITIZENS COMMENTS.**

Mr. Gerald Shedd asked the Council if the Aransas Pass Municipal Development District gave the City of Aransas Pass \$400,000.

Mayor Knight Stated no.

Mr. Gerald Shedd asked the Council if the Aransas Pass Crime Control and Prevention District gave the City of Aransas Pass \$400,000.

Mayor Knight stated yes.

16. **RECESS REGULAR MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF TEXAS GOVERNMENT CODE.**

Recessed into Executive Session at 7:40 P.M.

A. SECTION 551.072 DELIBERATIONS REGARDING REAL PROPERTY.

17. RECONVENE IN REGULAR MEETING AND CONSIDER AND ACT ON FINDINGS OF EXECUTIVE SESSION.

Reconvened into Regular Meeting at 8:20 P.M.

A. SECTION 551.072 DELIBERATIONS REGARDING REAL PROPERTY.

Council Member Ross McElwee made a motion authorizing City Manager Winters to enter into negotiations with a real estate property development package on Conn Brown Harbor. Council Member Attaway seconded the motion and the motion carried unanimously.

18. ADJOURNMENT OF MEETING.

Council Member Hyatt made a motion to adjourn the meeting. Council Member Attaway seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 8:20 P.

Tommy Knight, Mayor

ATTEST:

Yvonne Stonebraker, City Secretary